

Remarks/Arguments:

With this Amendment, claims 1-44 are currently pending, with claims 25-27 and 33-42 having been withdrawn from consideration. The remaining claims 1-24, 28-32, 43, and 44 have been rejected under 35 U.S.C. §112, first paragraph, for failing to comply with the enabling requirement.

Specifically, the Examiner stated that the term "lamination direction" is known in the recording medium art as being formed in the same direction as a substrate moves through a lamination machine, that is, in a direction that is parallel to the substrate surface. The Examiner also stated however, that the detailed description of the invention only enables the formation of recording layers possessing columns which "extend in a direction perpendicular to the film surface". The Examiner stated that the specification does not enable the formation of a recording layer wherein columns extend in a "lamination direction".

The term "lamination direction" has been deleted and replaced with the term "direction perpendicular to the layers" after an antecedent basis for a plurality of layers has been established. Applicants respectfully traverse this rejection as it pertains to the claims, as currently amended.

As seen in Fig. 1, layers 12-17 are stacked on each other on a substrate 11. The layers 12-17 extend in a direction from bottom to top of the Figure. Similarly, in Fig. 9a, the layers 13, 14, 15 are stacked on each other in a direction from top to bottom in the Figure. Referring still to Fig. 9a, the plurality of columns extends from left to right, in a direction perpendicular to the direction in which the layers are stacked. Applicants therefore respectfully submit that claims 1-24, 28-32, 43, and 44 are enabled by the specification. Applicants therefore respectfully request reconsideration and allowance of claims 1-24, 28-32, 43, and 44.

Additionally, claims 1-24, 28-32, 43, and 44 have been rejected under 35 U.S.C. §112, second paragraph, for failing to point out and distinctly claim the subject matter which the Applicants regard as the invention. Specifically, the Examiner stated that the term "lamination direction" is apparently used to mean "perpendicular to the film surface", referring to the specification, page 27, lines 6-8; page 39-40, bridging paragraph; and page 55, lines 1-17. The Examiner stated that while it appears that the Applicants may have intended to claim a recording layer having columns extending "in a direction perpendicular to the film surface",

Appln. No.: 10/681,567
Amendment Dated October 11, 2005
Reply to Office Action of July 12, 2005

MTS-3473US

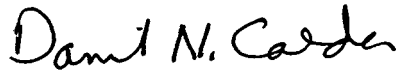
Applicants also have literal support in the brief description of the invention for columns extending in a direction parallel to the film surface (i.e. Applicants' claimed "lamination direction").

Applicants have amended claims 1-24, 28-32, 43, and 44 to eliminate the term "lamination direction", rendering the Examiner's rejection of these claims moot. Applicants respectfully submit that the replacement language, namely, that "the plurality of columns extends in a direction perpendicular to the layers", clearly defines the direction in which the plurality of columns extends. Applicants therefore respectfully request reconsideration and allowance of claims 1-24, 28-32, 43, and 44.

Conclusion:

In light of the amendments to claims 1-24, 28-32, 43, and 44, Applicants respectfully submit that these claims are in condition for allowance. Prompt reexamination and allowance of same is respectfully requested.

Respectfully submitted,



Daniel N. Calder, Reg. No. 27,424
Joseph E. Maenner, Reg. No. 41,964
Attorneys for Applicants

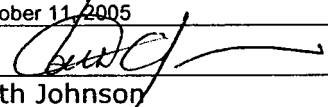
DNC/JEM/bj

Dated: October 11, 2005

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. 18-0350 of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:
October 11, 2005


Beth Johnson